

Yeas—27

Aikin	Moffett
Ashley	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Absent

Bell	Parkhouse
Hazlewood	

Absent—Excused

Moore

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Aikin:

S. B. No. 286, A bill to be entitled "An Act amending Article 3241, Revised Civil Statutes of 1925, by removing from said article the phrase "Five dollars per week for the board of such patient, together with the necessary cost incident to his transportation to said colony" and adding thereto the phrase "the actual cost of maintaining and treating such patient"; providing a saving clause; and declaring an emergency."

To the Committee on Civil Jurisprudence.

Adjournment

On motion of Senator Hardeman the Senate, at 12:10 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

THIRTY-THIRD DAY

(Wednesday, March 18, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Corbin
Ashley	Fuller
Bell	Hardeman
Bracewell	Hazlewood
Colson	Kazen

Kelley	Rogers of Travis
Lane	Russell
Latimer	Rutherford
Lock	Sadler
Martin	Secrest
McDonald	Shireman
Moffett	Strauss
Phillips	Wagon seller
Rogers	Weinert
of Childress	Willis

Absent

Parkhouse

Absent—Excused

Moore

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, we live in a troubled world. We pray that we may find comfort in the knowledge that the same God who makes the sun shine, birds sing, and roses bloom; can make the blind to see, the lame walk, and the dead rise up. Make us deeply conscious of thy presence and power through this day. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Corbin.

Reports of Standing Committees

Senator Weinert submitted the following report:

Austin, Texas,
March 18, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 5, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Senate Committee Substitute, with Committee Amendments, do pass in lieu thereof and be printed.

WEINERT, Chairman.

C. S. H. B. No. 5 was read the first time.

Senator Bell submitted the following report:

Austin, Texas,
March 18, 1953.

Hon. Ben Ramsey, President of the Senate.

Sid: We, your Committee on Constitutional Amendments, to whom was referred to S.J.R. No. 8, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BELL, Chairman.

Senator Aikin submitted the following report:

Austin, Texas
March 18, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 168, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Fuller submitted the following report:

Austin, Texas,
March 17, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 186, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Senator Ashley submitted the following report:

Austin, Texas,
March 18, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 314, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman.

Senator Aikin submitted the following report:

Austin, Texas,
March 18, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 22, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

AIKIN, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,
March 17, 1953.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 32, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Vice-Chairman.

Senator Lock submitted the following report:

Austin, Texas,
March 18, 1953.

Hon. Ben Ramsey, President of the Senate:

Sir: Your Committee on Finance, to whom was referred S. B. No. 245, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Presentation of Guest

Senator Aikin, by unanimous consent of the Senate, presented his brother, the Honorable John D. Aikin of Hereford, Texas, to the Members of the Senate.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read the following enrolled resolution:

S. C. R. No. 27, Honoring and commending Dr. Carlos E. Castaneda for the honor he has brought to Texas.

Message from the House

Hall of the House of Representatives
Austin, Texas,
March 18, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 40, Authorizing the Speaker of the House and the Lieutenant Governor to appoint a committee to investigate the advisability of providing Seeing Eye dogs for deserving blind individuals.

H. J. R. No. 16, Proposing an amendment to Section 19 of Article XVI of the Constitution of the State of Texas to provide that the qualifications for service on grand and petit juries shall not be denied or abridged by reason of sex; providing for an election and the issuance of a proclamation therefor; and appropriating funds for the financing thereof.

H. B. No. 503, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Dallas County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring right of way for designated State Highways or Federal Highways when the acquisition of such right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 561, A bill to be entitled "An Act creating the Constitutional office of District Attorney for the Criminal District Court of Harris County; providing for the election, tenure of office and prescribing the qualifications, powers, duties and compensation; providing for the appointment of assistants, investigators, reporters and secretaries; providing for their compensation, prescribing their powers and duties; abolishing the office of Criminal District Attorney of Harris County; providing for the appointment of a District Attorney by the Governor on September 1, 1953; providing that the Criminal

District Attorney shall transfer all criminal matters to the District Attorney and all civil matters to the County Attorney; providing for a severability clause; providing for a repealing clause; providing that this Act shall be operative on September 1, 1953; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives

Senate Bill 287 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	McDonald
Ashley	Moffett
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Strauss
Latimer	Wagon seller
Lock	Willis
Martin	

Absent

Hardeman	Shireman
Parkhouse	Weinert

Absent—Excused

Moore

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 287, A bill to be entitled "An Act appropriating \$600,000.00 a year for the additional support and maintenance of the new John Sealy Hospital and other hospitals operated by the University of Texas Medical Branch at Galveston, during the biennium beginning Sept. 1, 1953; and declaring an emergency."

To the Committee on Finance.

Senate Bill 288 on First Reading

Senator Sadler moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Fuller	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent

Ashley	Hazlewood
Corbin	Parkhouse
Hardeman	

Absent—Excused

Moore

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Sadler:

S. B. No. 288, A bill to be entitled "An Act amending Article 7217, Revised Civil Statutes of Texas, 1925, as amended by Chapter 453, Acts of the Forty-seventh Legislature, 1941, as amended by Chapter 607, Acts of the Fifty-first Legislature, 1949, relating to the powers and duties of the Commissioners Courts in determining the value of property for tax purposes in such Counties, and in making contracts with persons, firms or corporations to compile taxation data; and declaring an emergency."

To the Committee on Civil Jurisprudence.

Senate Bill 289 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Ashley	Hazlewood
Corbin	Parkhouse

Absent—Excused

Moore

(President pro tempore in Chair.)

The following bill was then introduced, read first time, and held for referral:

By Senator Phillips:

S. B. No. 289, A bill to be entitled "An Act to abolish the office of County Attorney of Brazoria County, Texas; creating the Constitutional office of Criminal District Attorney for Brazoria County; providing for the election and tenure of office, and prescribing the qualifications, powers, duties, etc."

Senate Bill 290 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kelley
Ashley	Lane
Bell	Latimer
Bracewell	Lock
Colson	Martin
Fuller	McDonald
Hardeman	Moffett
Kazen	Phillips

Rogers of Childress	Secrest Shireman
Rogers of Travis	Strauss
Russell	Wagonseller
Rutherford	Weinert
Sadler	

Absent

Corbin	Parkhouse
Hazlewood	Willis

Absent—Excused

Moore

The following bill was then introduced, read first time and held for referral:

By Senator Phillips:

S. B. No. 290, A bill to be entitled "An Act amending Section 1 of Acts 1943, 48th Legislature, Regular Session, Chapter 102, House Bill 667, by adding Galveston and Chambers Counties to the provisions prescribing a closed season for taking oysters for market; repealing all laws in conflict; and declaring an emergency."

Senate Bill 291 on First Reading

Senator Strauss moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent

Hazlewood

Absent—Excused

Moore

The following bill was then intro-

duced, read first time and held for referral:

By Senator Strauss:

S. B. No. 291, A bill to be entitled "An Act to clarify the status of machinery used exclusively for drilling water wells with respect to registration and permit requirements for transportation over the public highways, by amending Section 2 of Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-2 in Vernon's Texas Civil Statutes), and by amending subdivision (a) of Section 3, Chapter 42, General Laws of the 41st Legislature, Second Called Session, 1929, as amended (codified as Article 827a, Section 3 in Vernon's Texas Penal Code); repealing conflicting laws; and declaring an emergency."

Senate Concurrent Resolution 30 on First Reading

Senator Strauss moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent

Hazlewood	Sadler
Latimer	

Absent—Excused

Moore

The following resolution was then introduced, read first time and held for referral:

S. C. R. No. 30, Granting E. P.

Braunig et al. permission to sue the State.

Whereas, On the 26th day of August, 1951, Elwyn P. Braunig, who resides in Bexar County, Texas, was the owner of an automobile which was involved in an accident which he claims was by reason of faulty highway maintenance on the highway upon which he was traveling between Moulton and Shiner, Texas, in that there was about a ten (10) to fourteen (14) inch drop-off at the edge of the pavement on the shoulder of said highway where grass had been permitted to grow up level with the pavement and rendered said condition invisible, and it is claimed that said automobile went off the edge of the pavement by reason of the aforesaid condition and caused it to turn over and resulted in damages to said automobile and injuries to the occupants thereof, all of which it is claimed resulted from the negligence of the State Highway Department of the State of Texas, its agents, servants, and employees; and

Whereas, The following persons were at said time occupants of said automobile, namely, Elwyn P. Braunig, the owner of said automobile, and his wife, Harriet F. Braunig, and their minor son, Henry J. Braunig, and Henry H. Ahrens, Sr., and his wife, Lillie E. Ahrens, and their granddaughter, Kay Ahrens, who is the daughter of Henry Ahrens, Jr., who resides in Lavaca County, Texas; and

Whereas, The said Elwyn P. Braunig and the other occupants of said car desire to bring suit against the State of Texas and the State Highway Department of the State of Texas for damages sustained by reason of said accident, said minors to sue by their next friend; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that Elwyn P. Braunig and the other occupants of said automobile claiming damages to said automobile, and injuries sustained by the occupants of said automobile, be and they are hereby granted permission to bring suit in any court of Bexar County and Lavaca County, or in either of said Counties having jurisdiction of the amount in controversy against the State of Texas and the Highway Department of the State of Texas to determine whether the injuries and damages suffered by the said Elwyn

P. Braunig and the other occupants of said car were due to the negligence of the employees of the State of Texas or the Highway Department of the State of Texas and to determine the amount of damages, if any, occasioned to the said Elwyn P. Braunig and the other occupants of said car directly and approximately resulting from the claimed negligence of the employees of the State of Texas and its Highway Department; and be it further

Resolved, That service of citation and all other necessary processes shall be had upon the Chairman of the Highway Commission of the State of Texas and the Attorney General of the State of Texas; and be it further

Resolved, That no admission of liability of the State of Texas or the State Highway Department of the State of Texas is made by this resolution and in the event suit is filed by any or all of the aforesaid, they will be required to plead and prove such allegations as provided by law and the rules of civil procedure of the State of Texas.

Conference Committee Report on House Bill 34

Senator Fuller submitted the following Conference Committee Report on H. B. No. 34:

Austin, Texas,
March 17, 1953.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 34, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

FULLER, Chairman
McDONALD
CORBIN

On the part of the Senate
COBB of Potter, Chairman
FISK
BERRY
BURKETT of Kerr
On the part of the House

H. B. No. 34:

A BILL TO BE ENTITLED

"An Act to amend Chapter 6, Acts

of the Forty-third Legislature, First Called Session, 1933, as amended by Section 1 of Chapter 337, Acts of the Forty-eighth Legislature, 1943, and by Section 1 of Chapter 338, Acts of the Forty-ninth Legislature, 1945, the same being codified as Article 2654b-1 of Vernon's Civil Statutes, by adding thereto a new section, to be known as Section 5, extending existing exemption provisions with respect to payment of certain fees, dues, and charges in state-supported institutions of collegiate rank to persons serving in the armed forces of the United States during the present national emergency, as therein defined, and to children of members of the armed forces of the United States who were killed in action or died while in such service, subject to certain conditions and limitations therein stated; fixing the effective date of the Act; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 6, Acts of the Forty-third Legislature, First Called Session, 1933, as amended by Section 1 of Chapter 337, Acts of the Forty-eighth Legislature, 1943, and by Section 1 of Chapter 338, Acts of the Forty-ninth Legislature, 1945, the same being codified as Article 2654b-1 of Vernon's Civil Statutes, is hereby amended by adding the following new provision which shall be known as Section 5:

"Section 5. All of the foregoing provisions, conditions and benefits hereinabove in this Article provided for in Section 1 shall apply and accrue to the benefit of men and women of the armed forces of the United States of America during the present national emergency. As used herein the term 'present national emergency' refers to the period of time beginning June 27, 1950, and ending on such date as shall be determined by Presidential Proclamation or Concurrent Resolution of the Congress for purposes of defining a 'basic service period' under Public Law 550, Eighty-second Congress, Second Session, Chapter 875. Provided, that the provisions of this Act shall not apply in the case of persons whose fees and tuition are being paid to the educational institution by the Veterans Administration under Public Law 16, Seventy-eighth Congress, as amended, and by Public Law 894, Eighty-first Congress, Second Session, as amend-

ed, or Public Law 346, Seventy-eighth Congress, as amended, as promulgated by the Congress of the United States; or to persons whose fees and tuition are paid directly to the veteran under Public Law 550, Eighty-second Congress, as promulgated by the Congress of the United States; nor shall this provision of this Act apply in the case of persons dishonorably discharged from the service in which they were engaged. And, provided further, that the benefits and provisions of this Act shall also apply and inure to the benefit of the children of members of the armed forces of the United States who were killed in action or died while in such service."

Sec. 2. This Act shall be effective on date of passage.

Sec. 3. The fact that a great many persons who have served in the armed forces of the United States since June 27, 1950, have been discharged from such service and now desire to attend state educational institutions of higher learning and continue in the educational pursuits in which they were engaged at the time of entering into active service, and the further fact that there is now no provision for exempting such persons who have been discharged, or of exempting the orphans of such persons who have been killed or who have died in the service, from the payment of fees, as provided herein create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read.

Question—Shall the Conference Committee Report on H. B. No. 34 be adopted?

Senate Resolution 152

Senator Bracewell offered the following resolution:

Whereas, Mr. and Mrs. S. M. McAshan, Jr., of Houston, Harris County, Texas, have through their generosity, contributed to the development of Texas Southern University; and

Whereas, The contribution on their part toward such institution is deeply appreciated by the citizens of Texas; now, therefore, be it

Resolved, By the Senate of the State of Texas, that this body acknowledge the contribution made by Mr. and Mrs. S. M. McAshan, Jr., to Texas Southern University, an educational institution of this State, and express to Mr. and Mrs. McAshan its deep appreciation therefor.

The resolution was read and was adopted.

Senate Resolution 153

Senator Bracewell offered the following resolution:

Whereas, Mr. and Mrs. W. L. Clayton of Houston, Harris County, Texas, have, through their generosity, contributed to the development of Texas Southern University; and

Whereas, The contribution on their part toward such institution is deeply appreciated by the citizens of Texas; now, therefore, be it

Resolved, By the Senate of the State of Texas, that this body acknowledge the contribution made by Mr. and Mrs. W. L. Clayton to Texas Southern University, an educational institution of this State, and express to Mr. and Mrs. Clayton its deep appreciation therefor.

The resolution was read and was adopted.

Presentation of Guest

Senator Secrest, by unanimous consent, presented his father-in-law, Dr. R. W. Tinsley, retired, of San Antonio, Texas, formerly a professor of Southwestern University of Georgetown.

Senate Resolution 155

Senator Sadler offered the following resolution:

Whereas, We are honored to have with us today Mrs. Howard Lewis, Mrs. J. C. Morrow, Mr. F. B. Porter, Mr. O. S. Moore, and Mr. Buell Moore, prominent citizens of the Divine Community in Nolan County; and

Whereas, This party is visiting in the Capitol today; now, therefore, be it

Resolved, That the Senate of Texas recognize and welcome these visitors, and that a copy of this resolution be mailed to them.

The resolution was read and was adopted.

Senator Sadler presented his guests to the Members of the Senate.

Presentation of Guests

Senator Weinert, by unanimous consent presented the American History Class of the 12th Grade of Lytle High School and their teacher, Mr. Allen Chessher, and sponsor, Mrs. Ad Hoffman, to the Members of the Senate.

Bills Signed

The President pro tempore signed in the presence of the Senate, after the captions had been read, the following enrolled bills:

H. B. No. 58, A bill to be entitled "An Act authorizing counties in this State having a population in excess of one hundred twenty-five thousand (125,000) inhabitants according to the last preceding Federal Census to donate and convey land to the State of Texas for the establishment of a State tuberculosis sanatorium; providing the method of conveyance; excepting lands donated for educational purposes; providing a repealing clause; and declaring an emergency."

H. B. No. 206, A bill to be entitled "An Act authorizing County Commissioners Courts to compensate constables and deputy constables for transportation or furnish adequate transportation within the State; providing for sworn statements covering such transportation; providing that this Act shall be severable; repealing all laws in conflict with this Act; and declaring an emergency."

House Bill 218 on Second Reading

On motion of Senator Shireman, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 218, A bill to be entitled "An Act to amend Section 3, of Article 1287a of the Civil Statutes of the State of Texas, Revision of 1925, so as to increase the amount of the bond required by the livestock auction commission merchant; providing a method of fixing such amount; and declaring an emergency."

(President in the Chair.)

The bill was read second time and passed to third reading.

House Bill 218 on Third Reading

Senator Shireman moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 218 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Shireman
Kazen	Strauss
Kelley	Wagonseller
Lane	Weinert
Latimer	Willis
Moffett	

Nays—4

Lock	McDonald
Martin	Secrest

Absent—Excused

Moore

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senators Wagonseller, Aikin, Colson, McDonald, and Secrest asked to be recorded as voting "nay" on final passage of H. B. No. 218.

Senate Bills Referred

The President referred the following Senate bills which were introduced and read the first time on Thursday, March 12, 1953, to the committees indicated:

S. B. No. 254, to Committee on Criminal Jurisprudence.

S. B. No. 255, to Committee on Finance.

S. B. No. 256, to Committee on Criminal Jurisprudence.

S. B. No. 257, to Committee on Educational Affairs.

S. B. No. 258, to Committee on Privileges and Elections.

S. B. No. 259, to Committee on Civil Jurisprudence.

S. B. No. 260, to Committee on State Highways and Motor Traffic.

S. B. No. 261, to Committee on Civil Jurisprudence.

S. B. No. 263, to Committee on State Highways and Motor Traffic.

S. B. No. 264, to Committee on State Penitentiaries.

S. B. No. 265, to Committee on Finance.

S. B. No. 266, to Committee on Finance.

House Concurrent Resolution 29 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

H. C. R. No. 29, Granting permission to Harry Lee Carter to sue the State of Texas and the Veteran's Land Board.

The resolution was read second time and was adopted.

House Bill 96 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 96, A bill to be entitled "An Act repealing Acts 1929, Forty-first Legislature, 2nd C. S., p. 157, Ch. 80, (Article 117a of Vernon's Civil Statutes and Article 1112a of Vernon's Penal Code) and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 96 on Third Reading

Senator Moffett moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 96 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent

Fuller	Sadler
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Absent—Excused

Moore

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent

Fuller

Absent—Excused

Moore

House Bill 97 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 97, A bill to be entitled "An Act amending Section 12 of Article 118a of Vernon's Texas Stat-

utes; providing a saving clause and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 97 on Third Reading

Senator Moffett moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent—Excused

Moore

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent—Excused

Moore

Committee on Local and Uncontested Bills

The President announced the following as a Committee for Local and Uncontested Bills:

Senators Martin, Chairman, Hardeman, Lane, Shireman, and Phillips.

Executive Session

On motion of Senator Bracewell, and by unanimous consent, the Senate agreed to hold an executive session at 11:50 o'clock a. m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Adjutant General of the State of Texas, for a two-year term: Major General K. L. Berry of Denton, Denton County.

To be Assistant Adjutant General of Texas, Brigadier General William H. Martin of Houston, Harris County.

To be Branch Pilots for the Port of Houston on the Houston Ship Channel and Galveston Bar, for two-year term to expire March 9, 1955: Henry Corry of Harris County, W. E. Dunlap of Harris County.

To be members of the State Board of Health:

For six-year terms to expire June 12, 1957: J. T. Stryker of Woodville,

Tyler County, (pharmacist member); Dr. Elmer C. Baum of Austin, Travis County.

To fill the unexpired term of Dr. L. S. Oates, resigned, term to expire June 12, 1955: Dr. J. B. Copeland of San Antonio, Bexar County.

To fill the unexpired term of Dr. James W. Long, deceased, term to expire June 12, 1957: Dr. George W. Turner of El Paso, El Paso County.

Judge of the 134th Judicial District Court, to fill the unexpired term of Honorable W. M. Taylor, Jr., resigned: Effective April 1, 1953: Charles E. Long, Jr., of Dallas, Dallas County.

To be members of the Board of Directors of the Brazos River Conservation and Reclamation District:

For terms to expire February 1, 1957: Glen D. Birdwell of Richmond, Fort Bend County; Churchill Duncan of Killeen, Bell County;

For terms to expire February 1, 1959: J. Howard Fox of Hearne, Robertson County; J. B. Matthews of Albany, Shackelford County; J. Bruce Parks of Clifton, Bosque County; Raymond Holubec of Granger, Williamson County; W. E. Boger of Cleburne, Johnson County; J. V. Hammett of Lampasas, Lampasas County; Jack Frost of Eastland, Eastland County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:55 o'clock a. m.

Adjournment

On motion of Senator Hardeman, the Senate at 11:58 o'clock a.m. adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of

Jim Reese

Senator Russell offered the following resolution:

(Senate Resolution 154)

Whereas, On the 27th day of February, 1953, God, in His Infinite Wisdom, did call from his earthly labors to his eternal reward one of our most highly esteemed men and distinguished jurists, the Honorable Jim Reese, Senior; and

Whereas, Judge Reese, the son of a Civil War veteran, was born at Heath, Texas, in Rockwall County, and after the death of his parents he lived for a time with his grandparents, Mr. and Mrs. Tom Muse, in Kaufman County; and

Whereas, Judge Reese was a member of the Masonic Lodge and rendered a long and faithful public service as County Judge, County Attorney, and in the House of Representatives as flotorial representative from Rockwall and Dallas Counties; and

Whereas, Men of his nature have made Texas a Great State, and the years to come will do them justice, for when the history of their period is written, generations to come will honor them for their work and the example they have set, so that others may serve well their day and generation; and

Whereas, The passing of Judge Reese is a severe loss to the entire State of Texas; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we do here and now pay tribute to this Christian gentleman and distinguished jurist and that we extend our sincere sympathy to his widow, Mrs. Jim Reese, Senior; three sons, J. Glen Reese of Port Arthur, James Reese and Grady Reese, both of Rockwall; three daughters, Mrs. Rupert Loper and Mrs. Frank Isbell, both of Dallas, and Mrs. Loubert Moyers of Ferris, Texas; and be it further

Resolved, That a page be set aside in the Senate Journal in honor and in memory of Judge Reese, that a copy of this resolution be sent to each member of the immediate family, and when the Senate adjourns today it do so in memory of Judge Jim Reese, Senior.

The resolution was read and was adopted by a rising vote of the Senate.